

AO 442 (Rev. 01/09) Arrest Warrant

**FILED****FEB 29 2012**TERESA L. DEPPA, CLERK  
U.S. District Court  
Southern District of West Virginia  
United States of America

v.

James A. Matheny  
Defendant

## UNITED STATES DISTRICT COURT

for the

Southern District of West Virginia

Case No. 2:12-mj-00025

RECEIVED  
2012 FEB 28 P 3:16  
U.S. MARSHAL  
CHARLESTON, WV**ARREST WARRANT**

To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) James A. Matheny

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment    ☐ Superseding Indictment    ☐ Information    ☐ Superseding Information    ☒ Complaint
- ☐ Probation Violation Petition    ☐ Supervised Release Violation Petition    ☐ Violation Notice    ☐ Order of the Court

This offense is briefly described as follows:

On or about February 28, 2012 at or near Midkiff, Lincoln County, WV, defendant James A. Matheny did, by use of a deadly and dangerous weapon, forcibly assault, resist, oppose, impede, intimidate and interfere with a Special Agent of the Federal Bureau of Investigation and a person assisting that Special Agent, both of whom were engaged in the performance of official duties in that they were conducting an investigation into alleged voter fraud in Lincoln County. The Special Agent and person assisting the Special Agent ascertained the identity of the defendant, asked him about his conduct related to voting in the May 2010 primary election, and after defendant responded, the person assisting the Special Agent asked a question intending to clarify defendant's response. Defendant thereafter brandished a small caliber automatic pistol, and stated "Are you calling me a liar? I will kill you." Defendant then retreated into his house.

Date: Feb. 28, 2012

Mary E. Stanley  
Issuing officer's signature

City and state: Charleston, West Virginia

Mary E. Stanley, U.S. Magistrate Judge

Printed name and title

**Return**

This warrant was received on (date) 2-28-12, and the person was arrested on (date) 2-28-2012  
at (city and state) Midkiff, WV.

Date: 2-29-12

Jack C. Remaley  
Arresting officer's signature  
FBI  
Printed name and title